

David W. Overholt - 3846
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Attorneys for Sysco Intermountain Food Services, Inc.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH (SALT LAKE CITY)**

In Re:	Bankruptcy No. 09-29905
EASY STREET HOLDING, LLC, et al., Debtors.	Jointly Administered with Case Nos. 08-22907 and 08-22908
Address: 201 Heber Avenue Park City, UT 84060	Chapter 11
Tax ID Numbers: 35-2183713 (Easy Street Holding, LLC), 20-4502979 (Easy Street Partners, LLC), and 84-1685764 (Easy Street Mezzanine, LLC)	Honorable R. Kimball Mosier [FILED ELECTRONICALLY]

**AFFIDAVIT OF DAVID W. OVERHOLT IN SUPPORT OF
EX PARTE ORDER APPROVING STIPULATION FOR TREATMENT OF
CLAIM OF SYSCO INTERMOUNTAIN FOOD SERVICES, INC.**

I, David W. Overholt, after having been first duly sworn, depose and state as follows:

1. I am an attorney employed by Richer & Overholt, P.C. who is counsel for Sysco Intermountain Food Services, Inc. in the above-referenced bankruptcy.
2. All of the assertions in this Affidavit are based upon my own personal knowledge.
3. On or about April 14, 2010, Sysco Intermountain Food Services, Inc. filed with this Court an endorsed Stipulation for Treatment of Claim of Sysco Intermountain Services, Inc. and Motion to Approve Stipulation for Treatment of Claim of Sysco Intermountain Food Services.

4. On or about April 14, 2008, Sysco Intermountain Food Services, Inc. further filed with this Court a Notice of Hearing and Certificate of Notification of Notice of Hearing on Motion to Approve Stipulation for Treatment of Claim of Sysco Intermountain Food Services, Inc.

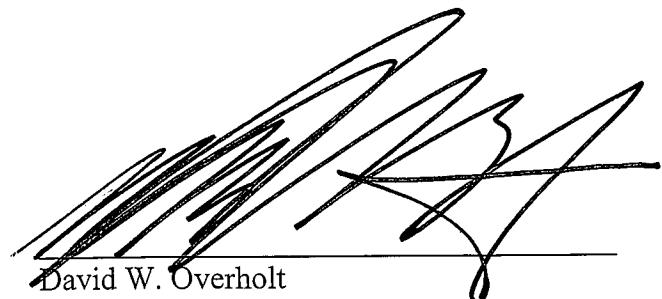
5. The Notice of Hearing states that pursuant to the Federal Rules of Bankruptcy Procedure and Local Rule 4001-1, if you do not want the Court to grant the relief requested in the Motion or if you want the Court to consider your views on the Motion, then, not later than April 29, 2010, plus three days thereafter for mailing, objections to the aforementioned Motion shall be in writing, and must be timely filed with the Clerk of the United States Bankruptcy Court for the District of Utah, Frank E. Moss United States Courthouse, 350 South Main Street, Room 301, Salt Lake City, Utah 84101, with a copy to be served upon the United States Trustee and the undersigned counsel for Sysco Intermountain Food Services, Inc.

6. The Notice of Hearing further states in the event that a written response is not filed and served upon counsel for Sysco Intermountain Food Services, Inc. on or before **April 29, 2010**, then after three additional days for mailing, Sysco Intermountain Food Services, Inc. may strike the hearing and submit an Affidavit and proposed Order Approving Stipulation for Treatment of Claim of Sysco Intermountain Food Services, Inc. without further notice or hearing.

7. More than fifteen (15) days plus three days for mailing have passed since service of the Motion, and as of the date of this Affidavit no responses in opposition have been filed with this Court or served upon the undersigned counsel.

8. Based upon the Motion to Approve Stipulation for Treatment of Claim of Sysco Intermountain Food Services, Inc and lack of objection thereto, Sysco Intermountain Food Services, Inc. believes that it is entitled to an Ex Parte Order Approving Stipulation for Treatment of Claim of Sysco Intermountain Food Services, Inc.

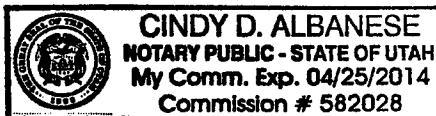
DATED this 3 day of May, 2010.



David W. Overholt
Attorney for Sysco Intermountain Food
Services, Inc.

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 3 day of May, 2010, personally appeared before me David W. Overholt, who being first duly sworn upon oath, acknowledged to me that said individual has read the foregoing AFFIDAVIT OF DAVID W. OVERHOLT IN SUPPORT OF EX PARTE ORDER APPROVING STIPULATION FOR TREATMENT OF CLAIM OF SYSCO INTERMOUNTAIN FOOD SERVICES, INC., believes the contents thereof, and executed the same of said individual's free act and desire.



Cindy Albanese
NOTARY PUBLIC
Residing in Salt Lake County, Utah
My Commission Expires: 4-25-2014